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*Co-Counsel for Debtors and  
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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**NOTICE OF AGENDA OF MATTERS  
SCHEDULED FOR HEARING ON JULY 31, 2023 AT 11:00 A.M. (ET)**

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

## **I. MATTERS GOING FORWARD**

### **1. Sale Hearing with Respect to Phase I and Phase 2 Leases**

#### **A. Related Documents**

- Order (I) Approving the Auction and Bidding Procedures, (II) Approving Stalking Horse Bid Protections, (III) Scheduling Bid Deadlines and an Auction, (IV) Approving the Form and Manner of Notice Thereof, and (V) Granting Related Relief [Docket No. 92]
- Order (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief [Docket No. 422]
- Notice of Lease Auction and Potential Lease Sale Hearing [Docket No. 456]
- Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases [Docket No. 714]
- Notice of Amendment of Dates and Deadlines Related to the Debtors' Bidding Procedures [Docket No. 771]
- Notice of Phase 1 Lease Auction, Qualified Bids, Lease Sale Hearing, and Related Lease Asset Information [Docket No. 905]
- Supplemental Notice of Phase 1 Lease Auction, Qualified Bids, Lease Sale Hearing, and Related Lease Asset Information [Docket No. 964]
- Notice of Successful and Backup Bidder with Respect to the Phase 1 Auction of Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired Leases [Docket No. 1114]
- Notice of Assumption of Certain Unexpired Leases [Docket No. 1157]
- Notice of (I) Phase 2 Lease Auction and Potential Lease Sale Hearing and (II) Extension of Dates and Deadlines Related Thereto [Docket No. 1162]
- Notice of Extension of Debtors' Deadline to Reply to Assumption Objections [Docket No. 1353]
- Supplemental Notice of Phase 2 Lease Auction, Qualified Bids, Lease Sale Hearing, and Related Lease Asset Information [Docket No. 1392]
- Notice of Uncontested Matters Proceeding on July 18, 2023 [Docket No. 1394]

- Notice of Successful and Backup Bidder with Respect to the Phase 2 Auction of Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired Leases [Docket No. 1428]
- Amended Notice Cancellation of Hearing Scheduled for July 24, 2023 at 10:00 A.M. (ET) and Rescheduled Hearing on July 28, 2023 at 10:00 A.M. (ET) [Docket No. 1444]
- Notice of Matters Scheduled for Hearing on July 28, 2023 at 10:00 A.M. (ET) [Docket No. 1582]
- Notice of Matters Scheduled for Hearing on July 31, 2023 at 11:00 A.M. (ET) [Docket No. \_\_\_\_\_]

B. Responses/Objections

- Objection of Enid Two, LLC to Debtors' Proposed Cure Amount; Adequate Assurance Objection; Joinder and Reservation of Rights [Docket No. 996]
- Amended Objection of Enid Two, LLC to Debtors' Proposed Cure amount; Adequate Assurance Objection; Joinder and Reservation of Rights [Docket No. 1096]
- Objection of CTC Phase II, LLC to Debtors' Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases [Docket No. 1188]
- Objection to Assignment of BVCV Lease to Golf & Tennis Pro Shop, Inc., and to Proposed Cure Amounts [Response to Docket No. 1157] [Docket No. 1240]
- Objection to Assignment of Telegraph Marketplace Partners II LLC's Lease to Burlington Coat Factory Warehouse Corporation, and Objection to Cure Amounts [Response to Docket No. 1157] [Docket No. 1293]
- Second Amended Objection of Enid Two, LLC to Debtors' Proposed Cure Amount; Adequate Assurance Objection; Joinder and Reservation of Rights [Docket No. 1364]
- Supplemental Letter Objection of Enid Two, LLC to Debtors' Proposed Cure Amount; Adequate Assurance Objection; Joinder and Reservation of Rights [Docket No. 1509]
- Reservation of Rights by BVCV Union Plaza, LLC to Notice of (I) Phase 2 Lease Auction and Potential Lease Sale Hearing and (II)

Extension of Dates and Deadlines Related Thereto [Response to Docket No.1162] [Docket No. 1512]

- Limited Objection of Edison BRMA002 LLC to Motion for Order Authorizing Debtors to Assume and Assign Lease for Store No. 3060 (Braintree II) [Docket No. 1518]
- Objection of CVSC, LLC, Congressional Plaza Associates, LLC, Federal Realty OP LP, and UE 675 Route 1 LLC to (I) Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases and (II) Notice of Successful and Backup Bidder With Respect to the Phase 2 Auction of Certain of the Debtors' Lease Assets and Assumption and Assignment of Certain Unexpired Leases [Docket No. 1523]

**Status: This matter is going forward with permission of the Court.**

2. Motion to Confirm Absence of Automatic Stay [Docket No. 495]

A. Related Documents

- Declaration of Eileen Higgins, in Support of Motion to Confirm Absence of Automatic Stay [Docket No. 495-4]
- Notice of Hearing [Docket No. 1185]
- Adjournment Request [Docket No. 1230]
- Reply in Support of Motion to Confirm Absence of Automatic Stay [Docket No. 1454]

B. Responses/Objections

- Objection to Motion to Confirm Absence of Stay [Docket No. 1371]

**Status: The Debtors are withdrawing their objection.**

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Dated: July 30, 2023

*/s/ Michael D. Sirota*

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**COLE SCHOTZ P.C.**

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